

### LISTING OF THE CLAIMS

A complete listing of the claims is provided below. This listing of claims will replace all prior versions and listings of claims in the application.

1. (Cancelled)
2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)
13. (Cancelled)
14. (Cancelled)
15. (Cancelled)
16. (Cancelled)
17. (Cancelled)
18. (Currently Amended) The device of Claim 22 A breathing device comprising, in fluid communication, a breathing channel and an exhaust channel extending from a junction therebetween; and a gas inlet channel arranged so as in use to introduce gas into said breathing

channel such that in use a positive pressure may be maintained in the breathing channel, wherein an axis of the gas inlet channel is laterally offset from an axis of the breathing channel at the point at which the gas inlet channel introduces the gas into the breathing channel, wherein the gas inlet channel is arranged to open into the junction between the breathing channel and the exhaust channel on an outer side of the junction.

wherein the axis of the gas inlet channel is laterally offset from an axis of the breathing channel at a narrowest part of the breathing channel.

19. (Currently Amended) The device of Claim 22 18 wherein the breathing channel is of a substantially constant cross-sectional area.

20. (Currently Amended) The device of Claim 22 18 wherein the breathing channel has a substantially circular cross-section.

21. (Currently Amended) The device of Claim 22 18 wherein the gas inlet channel opens into the breathing channel.

22. (Cancelled)

23. (Currently Amended) The device of Claim 22 18, wherein the gas inlet channel is laterally offset from the axis of the breathing channel in a direction toward the exhaust channel.

24. (Currently Amended) The device of Claim 22 18 wherein the gas inlet channel is inclined relative to the breathing channel axis.

25. (Currently Amended) The device of Claim 22 18 comprising at least two gas inlet channels at different lateral offsets and inclinations.

26. (Currently Amended) ~~The device of Claim 22 comprising~~ A breathing device comprising, in fluid communication, a breathing channel and an exhaust channel extending from a junction therebetween; and a gas inlet channel arranged so as in use to introduce gas into said

breathing channel such that in use a positive pressure may be maintained in the breathing channel, wherein an axis of the gas inlet channel is laterally offset from an axis of the breathing channel at the point at which the gas inlet channel introduces the gas into the breathing channel, wherein the gas inlet channel is arranged to open into the junction between the breathing channel and the exhaust channel on an outer side of the junction,

wherein the breathing device further comprises a movable gas inlet channel.

27. (Currently Amended) The device of Claim 22 18 wherein the gas inlet channel is narrower than at least one of the exhaust and breathing channels.

28. (Currently Amended) The device of Claim 22 18 wherein the breathing and exhaust channels are substantially linear and intersect one another at an angle of at least about ninety degrees.

29. (Currently Amended) The device of Claim 22 18 wherein the breathing device is adapted to be attached directly to a face of a patient.

30. (Currently Amended) The device of Claim 22 18 wherein the breathing device is adapted to be connected to a mask.

31. (Cancelled)

32. (Currently Amended) The device of Claim 22 18 wherein the gas inlet channel is arranged to provide a degree of gas bypass such that increased pressure is provided during inhalation.

33. (Currently Amended) The device of Claim 22 18 wherein the gas inlet channel has a cross sectional area that is smaller than a cross sectional area of at least one of the breathing and exhaust channels.

34. (Cancelled)

- 35. (Cancelled)
- 36. (Cancelled)
- 37. (Cancelled)
- 38. (Cancelled)